

of land, more or less, situated in Carroll County, in the State of Maryland, and particularly described in the deed of Madge Myers McKinstry, widow, to the said Manassah O. Repp, dated October 29th, 1904, and recorded among the Land Records of Carroll County aforesaid in liber D.P.S. No. 100, folio 327 etc., diminished by the conveyance therefrom of a parcel of land of seventy-six square perches of land, more or less, to Murray R. Paile and Alice M. Paile, his wife, by deed dated June 3rd, 1920, and recorded among the Land Records of Carroll County aforesaid in liber E.O.C., No. 136, folio 414 etc.; and, also, of a certain other tract or parcel of land containing one acre and one rood of land, more or less, situated in Carroll County aforesaid, and particularly described in the deed of Leander Moberly and wife to the said Manassah (Manassa) O. Repp, dated May 1st, 1885, and recorded among the Land Records of Carroll County aforesaid in liber C.A.M., No. 63, folio 24 etc.; and, also, of a certain other tract or parcel of land containing fifty-two acres, two roods and thirty-five square perches of land, more or less, situated in Frederick County, in the State of Maryland, and being the same land which the said Manassah O. Repp obtained in his lifetime by deed from William Keyser and wife, dated March 11th, 1899, and recorded among the Land Records of Frederick County aforesaid in liber D.H.H. No. 3, folio 434 etc.; and that, upon his death intestate as aforesaid, the said real estate descended to and by law vested in the said Elizabeth Repp, surviving widow of the said Manassah O. Repp, deceased, and the said Samuel Wesley Repp, Annie M. Seenseney, wife of said George Ernest Senseney, Effie G. Senseney, wife of Marshall W. Senseney, Harvey G. Pepp, Rachel J. Ecker, wife of Preston P. Ecker, Rosa G. Repp, and Grover Herman Repp, now a widower, the children and only heirs at law and next of kin of the said Manassah O. Repp, deceased, and all of whom are adults over the age of twenty-one years.

3. That the said Grover Herman Repp, defendant and one of the children of the said Manassah O. Repp, deceased, was indebted unto the said Manassah O. Repp at the time of his death, and the full and just sum of five thousand, nine hundred and sixteen dollars and seventy-five cents (\$5,916.75), which still remains unsatisfied and unpaid.

4. That the said land, and every parcel thereof, is not susceptible of partition and cannot be divided without material loss or injury to the parties interested therein as above stated, and, in order to make division of the interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests and respective rights.

5. That it is unknown whether the said non-resident defendant, Grover Herman Repp, be living or dead, and the presumption is that he is alive as he was last seen on December 1st, 1922; and your orators are advised that they are entitled to have notice given said defendant, Grover Herman Repp, by publication as by statute in such case made and provided

To the end, therefore,

- (1) That a decree may be passed for the sale of the said real estate.
- (2) That the proceeds thereof may be distributed among your orators and the said defendants according to their respective rights and interests.
- (3) That notice be given to Grover Herman Repp, defendant, by publication as by statute provided.
- (4) That your orators may have such other and further relief as their case may require.

May it please your Honorable Court to grant unto your orators the order of publication giving notice to the said Harvey G. Repp and Rachel J. Ecker and Preston P. Ecker all adults, and all of the State of Pennsylvania as aforesaid, and to said Grover Herman Repp, whose present residence is unknown, except that he is not a resident of the State of Maryland, who are all non-residents of the State of Maryland; of the object and substance of this Bill, and warning them to appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any they have, why a